

WIGDOR LLP

ATTORNEYS AND COUNSELORS AT LAW

85 FIFTH AVENUE
NEW YORK, NY 10003
TEL 212.257.6800
FAX 212.257.6845
WWW.WIGDORLAW.COM

Michael J. Willemin
mwillemin@wigdorlaw.com

September 29, 2020

VIA EMAIL

The Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 15C
New York, New York 10007

Re: Williams v. Marathon Capital of Illinois, LLC d/b/a Marathon Capital, LLC, Ted Brandt, Chuck Hinckley and Phillippe Lavertu; No. 20-cv-07783

Dear Judge Koeltl,

We represent Plaintiff Logan Williams in this action and respectfully submit this letter motion seeking to replace Docket No. 1, the Complaint, in this matter with a redacted version. We are submitting this letter motion in accordance with the Southern District of New York Electronic Case Filing Rules & Instructions at Rule 21.7 and at the direction of the Help Desk, which granted a temporary sealing on September 25, 2020.

We seek to replace Docket No. 1 because the document contains information identifying two third parties that, upon reflection, should have been redacted from the original Complaint. Thus, we seek to redact all reference to these individuals as referenced in paragraphs 3, 46, 47, 48, 49 and Footnote 1. A copy of the proposed replacement Complaint with redactions is annexed hereto as Exhibit 1.

The proposed redactions and request for the underlying Complaint to remain under seal rebut the presumption of open records. The courts in this District have acknowledged the importance of a third party's privacy and granted redactions of a third party's name. *See, e.g., Doe v. Berg*, No. 15-CV-9787 (RJS), 2016 WL 11597920, at *1 (S.D.N.Y. May 9, 2016) (citing *United States v. Biaggi*, 828 F.2d 110, 116 (2d Cir. 1987) ("Certainly, the privacy interests of innocent third parties . . . should weigh heavily in a court's balancing equation in determining what portions of motion papers in question should remain sealed or should be redacted.")); *E.E.O.C. v Kelley Drye & Warren LLP*, 10 CIV. 655 LTS MHD, 2012 WL 691545, at *2 (S.D.N.Y. Mar. 2, 2012) (collecting cases). Further, the redaction of these two names, people who are not parties to this action, will not in any way undermine the public's understanding of the allegations contained in the Complaint. The redactions do not impede Defendants' ability to defend this action nor will the redactions cause any prejudice to Defendants.

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We thank Your Honor for the Court's time and attention to this matter.

Respectfully submitted,



Michael J. Willemin

Enc.